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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff,

v.

Tyler Delaine Frawley,

Defendant.

Case No. 2:23-mj-00088-DJA

Order

Stipulation

Mr. Frawley was charged by complaint with two counts: (1) Operating a Motor Vehicle while Under the Influence of Drugs (a violation of 36 C.F.R. § 4.23(a)(1)); and (2) Driving without a Driver's License (a violation of 36 C.F.R. § 4.2(b), incorporating NRS § 483.550(1)). (ECF No. 1.)

Pursuant to a plea agreement (ECF No. 13), Mr. Frawley pleaded guilty to Count One, and Count Two was dismissed. (ECF No. 12.) The Court sentenced Mr. Frawley as follows: "Defendant is sentenced to one year unsupervised probation; \$800.00 fine and \$10.00 penalty assessment; attend and complete lower court DUI course and victim impact panel; complete sixteen (16) hours online drug awareness

1 course; and restricted from Lake Meade National Recreational Area for six months.
 2 Should the defendant complete his obligations within the first six months of
 3 unsupervised probation, the court will allow the defendant to withdraw his guilty
 4 plea to count one and the government will move to amend count one to reckless
 5 driving, see plea agreement.” (*Id.*)

6 Mr. Frawley now has completed the special conditions of his unsupervised
 7 probation.

8 Accordingly, the parties jointly request that the Court find that Mr. Frawley
 9 has completed the special conditions of his unsupervised probation and vacate the
 10 status check set for August 9, 2024. The parties further request that the Court
 11 allow Mr. Frawley to withdraw his guilty plea to Count One and enter a plea of
 12 guilty to Amended Count One: Reckless Driving. The parties further request that
 13 the Court set a deadline of October 4, 2024, for the parties to file a status report
 14 regarding the expiration of Mr. Frawley’s one-year term of unsupervised probation.

15 Dated June 25, 2024.

16 Respectfully submitted,

17
 18 Rene L. Valladares
 19 Federal Public Defender

Jason Frierson
 United States Attorney

20 /s/ Rick Mula

/s/ Skyler H. Pearson

21 Rick Mula
 22 Assistant Federal Public Defender

Skyler H. Pearson
 Assistant United States Attorney

Proposed Order

Based on the representations of counsel, the Court finds that Mr. Frawley has completed the special conditions of his unsupervised probation.

IT IS THEREFORE ORDERED that the status conference set for August 9, 2024, at 11:30 AM is vacated and reset for October 18, 2024, 11:30 a.m.

IT IS FURTHER ORDERED that Mr. Frawley is permitted to withdraw his guilty plea to Count One: Operating a Motor Vehicle while Under the Influence of Drugs.

IT IS FURTHER ORDERED that the Court, consistent with the plea agreement and sentence, enters a plea of guilty to Amended Count One: Reckless Driving.

25th
DATED this ____ day of June, 2024.



DANIEL J. ALBREGTS
United States Magistrate Judge